

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

LENA HARDAWAY,	:	
Plaintiff,	:	
	:	CASE NO. 3:10-CV-1956 (JCH)
v.	:	
	:	
JEFF LEICHNITZ, et al.,	:	SEPTEMBER 2, 2011
Defendants.	:	

**ORDER RE: MOTION FOR TEMPORARY RESTRAINING ORDER AND
MOTION FOR PRELIMINARY INJUNCTION [Doc. No. 5]**

Pending before the court is plaintiff Lena Hardaway's Motion for Temporary Restraining Order and Motion for Preliminary Injunction (Doc. No. 5). In her Motions, Hardaway requests that the court restrain the defendants from further operation of a "fraudulent Connecticut Body Magic website." Id. at 1. Based on the Complaint, the court understands this website to be: <http://www.ConnecticutBodyMagic.com>. Compl., at 3.¹ Hardaway operates a website with a similar name, <http://www.CTBodyMagic.com>. Compl., at 2. Hardaway also operates a store in Enfield, Connecticut under the name Connecticut Body Magic, and Hardaway claims that she has registered this business name with the State of Connecticut.² Compl., at 3.

¹ The Complaint also discusses the operation of two other websites by the defendants, http://www.bodymagicweightlosssystem.com/connecticut_body_magic, and <http://www.Ardysslife.com/BodyMagicCT>. Compl., at 6-7. The precise URLs cited in the Complaint do not appear to link to live websites. Moreover, the more general domain name "bodymagicweightlossystem.com" links to a website entitled "Body Magic by Ardyss," and therefore does not appear to be the "fraudulent Connecticut Body Magic" website referenced in Hardaway's Motion for Temporary Restraining Order and Motion for Preliminary Injunction.

² Although Hardaway claims that she has registered the name "CT Body Magic" with the State of Connecticut, no such registration appears to exist in the official directory of the Connecticut Secretary of State. See Sec'y of State of CT, Commercial Recording Div., <http://www.concord-sots.ct.gov/CONCORD/index.jsp> (last visited Sept. 1, 2011) (click "Search Database/Business" to perform keyword search).

In reviewing the Motion, the court discovered that the allegedly offending website is no longer in operation, and an unrelated placeholder site has been posted by a domain registrar. The court takes judicial notice that the relief requested by Hardaway is no longer required. Cf. U.S. v. Akinrosotu, 637 F.3d 165 (2d Cir. 2011) (taking judicial notice of information on the Bureau of Prisons website); Ligon v. Doherty, 208 F.Supp.2d 384, 386 (E.D.N.Y. 2002) (taking judicial notice of records on the New York Department of Correctional Services website). As a consequence, Hardaway's Motion for Temporary Restraining Order and Motion for Preliminary Injunction [**Doc. No. 5**] is **terminated as moot** without prejudice to renew.

SO ORDERED

Dated at Bridgeport, Connecticut, this 2nd day of September, 2011.

/s/ Janet C. Hall
Janet C. Hall
United States District Judge